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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,519	05/25/2000	Atul Mishra	FN-3014	9353

7590 01/03/2006

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EXAMINER

MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/580,519

Applicant(s)

MISHRA ET AL.

Examiner

Adnan M. Mirza

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vialin et al (U.S. 6,094,145) and Cohoe et al (U.S. 6,108,309).

As per claims 1, 3, 7 Vialin disclosed a computer including software, for managing telecommunication network elements, comprising: one or more operator-driven processes which monitor and manage network elements, in real time (col. 3, lines 40-52), using at least one telecommunications network control channel; a database which reports attributes of ones of said network elements in response to queries from ones of said operator-driven processes (col. 4, lines 9-28);

However Vialin failed to disclose in detail one or more background processes which monitor communications over said control channel and which parse all communications which imply network element status changes and which dynamically update said database accordingly, in real time.

In the same field of endeavor Cohoe disclosed each of the core processes share and update common data through the use of shared memory that is organized in three main segments: a client

Art Unit: 2145

connection segment that maintains client connection data including statuses and associated file descriptors; a mediation device management that contains the device type, the number of network elements under its span of control, and the TCP/IP port information; and a network element segment that contains detailed information about the state/status of each network element and its low level components and storage of alarms that network elements generate during the simulation execution (col. 9, lines 10-21).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated each of the core processes share and update common data through the use of shared memory that is organized in three main segments: a client connection segment that maintains client connection data including statuses and associated file descriptors; a mediation device management that contains the device type, the number of network elements under its span of control, and the TCP/IP port information; and a network element segment that contains detailed information about the state/status of each network element and its low level components and storage of alarms that network elements generate during the simulation execution as taught by Cohoe in the method of Vilain to achieve a consistent and accurate view of the network element in both a cache of information immediately available to clients and a database.

3. As per claims 2, 9 Vilain-Cohoe disclosed wherein information from said database is dynamically linked into said operator-driven processes, so that said background processes

Art Unit: 2145

dynamically update said operator-driven processes whenever a change is made to any element to which an operator-driven process is making read access (Cohoe, col. 8 lines 44-59).

4. As per claims 4, 8 Vilain-Cohoe disclosed further comprising periodically repeating the steps of parsing the messages and dynamically updating the portions of the configuration status information (Cohoe, col. 9, lines 9-26).

5. As per claims 5, 11 Vilain-Cohoe further comprising: receiving a query for current configuration data regarding a particular one of the plurality of network elements; and providing dynamically updated configuration status information regarding the particular one, in response to the query (Cohoe, col. 9, lines 9-26).

6. As per claims 6, 10 Vilain-Cohoe further comprising: presenting a graphical representation of the database at a graphical user interface; and dynamically updating the graphical representation with dynamically updated status information regarding one or more of the plurality of network elements (Cohoe, col. 9, lines 41-59).

Response to Arguments

Applicant's arguments filed 10/06/2005 have been fully considered but they are not persuasive.

Response to applicant's arguments are as follows.

7. Applicant argued that prior art did not disclose, "one or more operator-driven processes which monitor and manage network elements in real time, using at least one telecommunications network control channel".

As to applicant's argument Vilain disclosed, "The message transfer point PTMG comprises a plurality of management message transfer devices DTMG1, DTMGK each serving a set of management applications EAGl, EAGk and telecommunication network elements NE1.. etc. Each telecommunication network element NE, Nen associated with a set of management applications ahs an interface (e.g. IN1) to communicate with management message transfer device serving that set (col. 4, lines 9-16). One ordinary skill in the art at the time of the invention know that management of message transfer devices serves the purpose of managing the Network Elements.

8. Applicant argued that prior art did not disclose, "one or more background processes which monitor communications over said control channel and which parse all communications which imply network element status changes and which dynamically update said database accordingly, in real time".

As to applicants argument Cohoe disclosed, “each of the core processes share and update common data through the use of shared memory that is organized in three main segments: a client connection segment that maintains client connection data including statuses and associated file descriptors; a mediation device management that contains the device type, the number of network elements under its span of control, and the TCP/IP port information; and a network element segment that contains detailed information about the state/status of each network element and its low level components and storage of alarms that network elements generate during the simulation execution” (col. 9, lines 10-21).

Conclusion

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2145

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

11. The examiner can normally be reached on Monday to Friday during normal business hours. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-746-7239. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).

AM

Adnan Mirza

Examiner


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER